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On \_\_\_\_\_

By \_\_\_\_\_  
Diane D. Dunn

Attorney Docket No. 0228us410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Poul Baad Rasmussen, et al.

Application No.: 10/084,706

Filed: February 26, 2002

For: New Interferon Beta-Like Molecules

Examiner: Unassigned

Art Unit: Unassigned

TRANSMITTAL LETTER - RESPONSE  
TO NOTICE OF MISSING PARTS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Attn: Box Missing Parts

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated April 4, 2002, enclosed is the following documents to be made of record in the above-identified application:

1) Executed Declaration:

2) \_\_\_\_\_

5) Return postcard

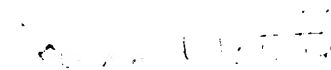
Please charge Deposit Account No. 50-0990 for the following fees:

|                           |           |
|---------------------------|-----------|
| Missing Parts Surcharge   | \$ 130.00 |
| 1-Month Extension of Time | \$ 110.00 |

|                                 |                  |
|---------------------------------|------------------|
| <b>TOTAL FEES TO BE CHARGED</b> | <b>\$ 240.00</b> |
|---------------------------------|------------------|

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 50-0990.

Respectfully submitted,



Joanne R. Petithory  
Reg. No. 42,995

Maxygen, Inc.  
515 Galveston Drive  
Redwood City, California 94063  
Customer No. 30560  
Direct Line: (650) 298-5452  
Telephone: (650) 298-5300  
Facsimile: (650) 298-5446

Please type a plus sign (+) inside this box → ☒

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

10/084,706

Filing Date

February 26, 2002

First Named Inventor

Poul Baad Rasmussen

Group Art Unit

Unassigned

Examiner Name

Unassigned

Total Number of Pages in This Submission

21

Attorney Docket Number

0228us410

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☒ Response to Missing Parts/ Incomplete Application
  - ☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

Transmittal Form; Response to Notice of Missing Parts; Declaration; Copy of Notice of Missing Parts; Return Postcard

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Joanne R. Petithory - Reg. No: 42,995

Signature

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name:

Diane D. Dunn

Signature

Date

# FEE TRANSMITTAL

## for FY 2002

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Form PTO/SB/12.

TOTAL AMOUNT OF PAYMENT (\$) 240.00

### Complete if Known

Application Number 10/084,706  
Filing Date February 26, 2002  
First Named Inventor Poul Baad Rasmussen  
Examiner Name Unassigned  
Group / Art Unit Unassigned  
Attorney Docket No. 0228us410

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-0990

Deposit Account Name MAXYGEN, INC.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     |          |
| 106 310                    | 206 155                    | Design filing fee      |          |
| 107 480                    | 207 240                    | Plant filing fee       |          |
| 108 690                    | 208 345                    | Reissue filing fee     |          |
| 114 150                    | 214 75                     | Provisional filing fee |          |

SUBTOTAL (1) (\$)

#### 2. EXTRA CLAIM FEES

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

\*\*or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |          |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |          |
| 109 78                     | 209 39                     | ** Reissue independent claims over original patent         |          |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  | 130.00   |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for reexamination                                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     | 110.00   |
| 116 400                    | 216 200                    | Extension for reply within second month                                    |          |
| 117 920                    | 217 460                    | Extension for reply within third month                                     |          |
| 118 1440                   | 218 720                    | Extension for reply within fourth month                                    |          |
| 128 1960                   | 228 980                    | Extension for reply within fifth month                                     |          |
| 119 320                    | 219 160                    | Notice of Appeal   |          |
| 120 300                    | 220 150                    | Filing a brief in support of an appeal                                     |          |
| 121 260                    | 221 130                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1280                   | 241 640                    | Petition to revive - unintentional   |          |
| 142 1280                   | 242 640                    | Utility issue fee (or reissue)   |          |
| 143 430                    | 243 215                    | Design issue fee   |          |
| 144 580                    | 244 290                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Petitions related to provisional applications                              |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 690                    | 246 345                    | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149 690                    | 249 345                    | For each additional invention to be examined (37 CFR 1.129(b))             |          |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 240.00

### SUBMITTED BY

Typed or Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

### Complete (if applicable)

Reg. Number \_\_\_\_\_

Deposit Account User ID \_\_\_\_\_

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date: \_\_\_\_\_

Typed or Printed Name Diane D. Dunn

Signature \_\_\_\_\_

Date \_\_\_\_\_

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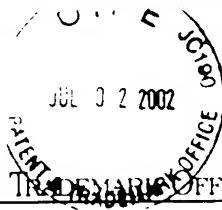


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Page 1 of 1

JUL 02 2002

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20503

| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10 084,706         | 02 26 2002          | Poul Baad Rasmussen   | 0228us410              |

30560  
MAXYGEN, INC.  
515 GALVESTON DRIVE  
RED WOOD CITY, CA 94063

CONFIRMATION NO. 7876

## FORMALITIES LETTER



\*OC000000007788797\*

COPY

Date Mailed: 04/04/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY APPLICANT COPY